Semper ego Auditor tantum:

OR A

VINDICATION

OF HIS

Royal Highneſs

THE

Duke of YORK, &c.

ONe might in Charity have thought, That thoſe Peaceable People as they call themſelves, and *Whigs* as every Body elſe calls em, after ſo many Defeats as their Seditious Projects, and Models of Rebellion have met withal after it was almoſt Viſible, that the particular care of Providence had guarded our Gracious King and the beſt part of his Loyal Subjects, from being Murder'd and Enſlav'd by them, and the Heads of their Faction; for the Deſign was no better. A man might at leaſt have reaſonably imagin'd they would in Policy for a ſeaſon have been Quiet; But they are a Generation of People that no Condeſcention or Indulgence of a Prince can oblige, nor no warning from God, but Plague, Peſtilence, or Famine, reform. For not being content privately to have drawn a horrid Scheme of Seizing, Depoſing, or Murdering of our Good and Gracious Soveraign, (whom God for ever Protect from their Bloody and Rebellious hands) for the enſlaving every Loyal and true Subject to the Monarchical Government, under the Tyranny of a ſecond *Rump* Parliament, chopt out into ſeveral Committees for the Sequeſtration of Honeſt mens Eſtates into their own Pockets; but now they have the Impudence fairly to tell the World what it was they meant, couching it under the ſpecious Title of a *Tory Plot*; which fooliſh, ſawcy, and very dull, though malicious Pamphlet, I the rather think fit in this place to take notice of, becauſe it has ſo much the reſemblance of another call'd, *No Proteſtant Plot*; That by the deformity and

weakneſs of the Ricketty Brats, their old debilitated Father muſt be the ſame.

And the beſt way of examining that Pamphlet, as I conceive, is to take it as it lyes before us in its Natural confuſion, ſo fairly to work with it in the lump together, ſee what it weighs, and leave it afterwards to the World to judge what it is worth.

This Pamphlet then in the firſt place is compos'd of about Six Sheets of Paper, fill'd with a merry conceited Preface, and a familiar Treatiſe concerning the Riſe, Growth, and Diſcovery of a Popiſh Plot; from thence, the Legality, Equity, and Expediency of a Bill of Excluſion; a Curſory and Plauſible Accompt of the Parliaments Proceedings at *Oxford*; a ſawcy Cenſure of His Majeſtie's Declaration after the Diſſolution of that Parliament, and the Addreſſes of the whole Kingdom in Loyal and Dutiful Thanks for that condeſcending and fatherly Declaration; and to wind up the Bus'neſs at laſt, a ſhort Apology for the Doctrines of *Calvin*, compared with thoſe of *Ignatius Loyola*; a Vindication of St. *Stephen Colledge*, the true Proteſtant Joyner; a Juſtification of the late Treaſonable *Aſſociation*, and the *Ignoramus* Juries that would not find it ſo, grounded upon that paſs't into an Act in the Reign of Q. *Elizabeth*; and a Proteſtation at the bottom of all, who it is that ſhall not Reign over the mighty Author of this doughty Pamphlet.

To proceed therefore with all the Candour and fairneſs imaginable, I ſhall in the firſt place enquire how far by his own Arguments he has prov'd the Riſe, Growth, and Diſcovery of a Popiſh Plot, the Legality, Equity, and Expediency of a Bill of Excluſion, how far the Parliaments Proceedings at *Oxford* ſtand by him Juſtify'd, or His Majeſtie's Diſſolution of it, and Declaration after it Condemn'd; I ſhall Compare the Doctrines of *Calvin* and his Followers, with thoſe of *Ignatius Loyola*, and leave the World to Judge whoſe are the beſt; then enquire how far St. *Colledge* ought to be Vindicated; the late Treaſonable *Aſſociation* and *Ignoramus* Jury-men juſtify'd in relation to that paſs't into an Act in the Reign of Q. *Elizabeth*, and upon his Proteſtation who ſhall not hereafter Reign over him, make as fair a Concluſion as I can, what ſort of Prince and Government he deſires to be a Subject under.

This done, I ſhall beg leave to offer ſome reaſonable Conjectures to Publick conſideration, whether or no our Author has, as he calls it, *diſcover'd a Tory Plot*, or has not Poſitively and moſt Learnedly Confirm'd the truth and certainty of a *Whiggiſh Conſpiracy*, carried on for theſe many years together, and couched under the moſt plauſible Pretences of maintaining the Proteſtant Religion, our Property and Privileges, and ſecuring the Subject from Arbitrary Government, &c. when upon the whole Matter, nothing has been aim'd at but the Diſſolution of the Monarchy, the Deſtruction of our Excellent Religion, as now Eſtabliſhed by Law; the rending and ruining of our Properties, and leaving us no Privileges at all, and inſtead of ſecuring good Subjects from Arbitrary Government, the bringing of us under the moſt odious and inſupportable Tyranny

Tyranny that ever *Athens* knew, or *Rome* groan'd under. 'Tis time now to ſpeak Truth or never; I will do it, and the Devil and Rebels bear the ſhame of it.

In the firſt place then for his Merry Preface, which I had almoſt forgot; He tells us there, That *It is the undoubted Privilege of Parliament, That none ſhould be queſtion'd out of it, for any thing ſpoken or tranſacted in it:* That's falſe: For ſhould any man ſay in Parliament he would *Kill the King*, he ſhall be queſtion'd for it out of it, and I hope Hang'd too; and all, I humbly conceive no breach of Privilege neither: But our Noble Author to ſhew how fit an Advocate he is for his Party, will needs be at it, and Juggle in his very Preface, which ſhould be his Apology: *None ſhall be queſtioned out of Parliament, for any thing ſpoken or tranſacted in it!* That is, None ſhall be liable to the Law for what he ſays in Parliament, provided he keep the bounds of Privilege, which I humbly conceive is limited, notwithſtanding the late new-ſtarted Doctrines, That they are the only Judges of it themſelves; why elſe do they deſire the Continuation of their Privileges every new Seſſions by their Speaker? The King is the Judge of thoſe Provileges then, for how can any Man grant what is fitting, that is not ſuppos'd the Judge what is ſo? Though therefore none be liable to the Law for what he ſays in Parliament, provided he keep the bounds of Priviledge; yet I hope any Corporation that ſends up a Member to Serve for them in Parliament, being ſenſible that that Member has abus'd or not diſcharg'd his Truſt, by proceeding unwarrantably in his Station, running into a faction to do nothing the King deſires of them, to vex him with Bills for Dis-inheriting a deareſt Brother, with a thouſand other Contrivances to perplex the good of the Kingdom, and Embroil rather than Settle it: I hope ſuch a Corporation, in an honeſt ſence how they have been miſrepreſented by the Servant, that they have ſent to the King, may have liberty to cenſure the Proceedings of ſuch an unfaithful Servant, and to Vindicate themſelves too by any humble Addreſs to His Majeſty, to aſſert their conſtant and loyal Adherence to his Government; and if need be, Abhorrence of any Tranſactions either of their own Servant, or any elſe, that would grow their Maſter, tending to the Diſturbance or Diſſolution of it.

Oh, But have a care, ſays the Preface a little farther, *when His Majeſty ſhall ſay to thoſe dry Bones, Live, and they ſhall ſtand upon their feet, they will be the fitteſt to declare their reſentments*, &c.

Now do but mark this facetious Gentleman, rather than loſe his Jeſt, what will he not do? Juſt now he was Pleading the reverence and deference due to the Memory of the Parliament, and here he ſcurrilouſly calls 'em a Company of *dry Bones*, can there be any thing more Prophane than that! the dry Bones of a dead Carcaſs commonly ſtink in the Noſtrils of the living, a very civil Metaphor, and a great Complement to the Repreſentatives of a Nation truly: *Oh but look to it, they will be fitteſt to declare their reſentments.* I hope it will never come to that, that we of the Country, who ſend up Members to Serve for us in the great Convocation of the Kingdom ſhall ſtand in awe of the Power we truſt 'em withal: I hope they

they are to ſit there for our good and our peace, not for our terror: But more of this hereafter. And now

To the firſt part of his Pamphlet, let us ſee how far he has proved the riſe, growth and diſcovery of a Popiſh Plot: Have at it.

He ſayes, *If the declaration of the common or publick Judgment be not a competent ground for us to ſettle our belief upon, he knowes not what can be ſuppos'd to be; for if ever the King be infallible, he would the readilieſt expect him to be ſo when he has the concurrent Advice and Conſent of the whole Nation.* Nay he ſayes *there is infinitely greater cauſe for conforming our belief to the Opinion of the King, Lords and Commons in a matter of fact throughly examin'd, then to obey the Lawes they make.*

To this I anſwer: That King, Lords and Commons are not nor can be infallible. As they are Men, they are liable to errors, and may be deceived in matters of Opinion, by the imperfections of their humane Nature in matters of fact, by the falſe Informations of Perjur'd and profligate Villains who are to ſwear for bread, and have no longer hopes to eat, then their Evidence is uſeful: For could any Government or Authority upon Earth be Infallible, one might as well as another, and Conſequently our Author would make a good Argument for the Church of *Rome*: and the Pope in *Cathedrâ* may with as much reaſon pretend to be Infallible, as any Prince in Chriſtendom in his Senate: I hope our Pamphleteer is a better Proteſtant then this Argument amounts to. Granting then that King, Lords and Commons are not Infallible, he has not yet by his argument prov'd the riſe, growth and diſcovery of a Popiſh Plott. But now he comes to ſuppoſing; well, let us ſee what he ſuppoſes.

Suppoſing, ſayes he, *that the aforeſaid Reſolves and Proclamations were not made nor iſſued without the matureſt deliberation and fulleſt aſſurance of the truth of thoſe Teſtimonies and Evidence that occaſioned them, it cannot be reputed too great credulity to believe that Popery was to be introduced by thoſe Means and Methods that the Diſcoverers of the Plott atteſted:* very good.

Here he ſuppoſes that the aforeſaid Reſolves and Proclamations were not without the fulleſt aſſurance of the truth of the Evidence: and yet not three lines farther he tells us, that *as to* Scotland *and* Ireland *in which the Deſign was laid as well as in* England, *Affairs have been ſo managed, that it is ſtill as to us kept in a great manner ſecret.* Was then that Vote of the Houſe of Commons that there was a Popiſh Plott in *Ireland* as well as here, made upon the matureſt deliberation and fulleſt aſſurance, when affairs have been ſo managed that it is yet a Secret? why was this Fellow truſted with Pen and Ink!

Well, but now look too't, now let us look about us. He has been but tuning his Inſtrument all this while, now he's reſolv'd to tickle it away indeed: as for Example; *Old ſturdy* England *being*, as he ſayes, *a Nation alwayes Jealous of their Rights and Liberties, it was deſpaired, that ſhe would be wheedled to put on the* Roman *Yoke, and therefore there was no hopes of bringing*

bringing that about but by force (The Author of this Book muſt be ſome Jeſuited bewhiggify'd and privy to all their Councels, he could never give ſo round an account what they thought elſe.) *And now*, ſayes he, *there wanted a plauſible pretence to get up an Army*, (Politick Worm!) *and therefore* (that we may Epitomize his long-winded Impertinent ſtory) he tells us, *there was a Sham War propos'd with the* French, *and the Parliament induc't to comply with the deſign*; (he makes a very Worthy Parliament of it the mean while; For if a Sham-War were to be impos'd upon the Nation, he makes the Parliament as guilty of the Impoſture as any Miniſter of State he would pretend to blacken;) Then he goes on, how *An Army of* 30000 *men was appointed to be raiſed, and a Tax levied for their Pay.* Well, and they were pay'd as far as the Tax would go, and what harm done?

Oh but a Peace being Concluded at Nimeguen, *this Army that was got together by one Seſſions of Parliament, was hardly got diſſolv'd by two*; And all things rightly examined, was not that One Seſſions too ſoon? for preſently after the Disbanding of that Army, 'tis very memorable and obſervable what Rebellion broke out in *Scotland*, and how it was tim'd; and as for the many Papiſts which he would inſinuate were thruſt into that Army, it is a moſt notorious Lye; for thoſe Papiſts that were in it, were only ſome few Officers that came home upon the King's Proclamation with the Duke of *Monmouth*'s Regiment out of *France*; and they too were caſhier'd their Commands long before the Peace made, or the Disbanding of the Army was thought of; and how this Army, as he ſuggeſts, was probably to be made uſe of in carrying on of the Popiſh Plot, may be gather'd, if I miſtake not, from an Information *Oates* once gave in, That the Officers of it were all to be Murdered in a Night by the Popiſh Party, to render the Army uſeleſs for any Service againſt them. *Then beſides this Open Force*, ſayes he, *there was Liſted under-hand a greater, of which* Oates's *Narrative acquaints us with the chief Officers.* So the Noble Dr. did with Commiſſions too, but the Devil a one was ever yet produced for us to ſee; nor, as I have been told, did the Dr. himſelf know one of theſe principal Officers he has made bold to mention (*viz.* My Lord *Arundel* of *Warder*) when he very lately did ſee him; but that worthy Divine is ſomething apt to be troubled with dimneſs of ſight, when over-ſtrain'd with ſwearing, as ſome Privy Councellors in being can bear him witneſs.

In the next place to his Malicious and Impudent Suggeſtion, *That the ſucceeding Parliament after the Long Parliament, were by their ſudden Diſſolution prevented from bringing thoſe to their Tryals which the Former had committed.*

I anſwer, and the whole Kingdom muſt teſtify with me, It is moſt ſcandalouſly falſe. For had they ſo intended, they ſate time enough to have brought ſix times the Number to their Tryal. No, the face of things began to look then another way; The Popiſh Plott ſeem'd like a Card turn'd up Trumps, only to be play'd upon a hard Puſh when any Trick they aim'd at was like to be loſt. As for Example, When the King would

not give up the E. of *D.* to be torn in pieces, trump with the Popiſh Plot, that will fetch it or nothing immediately; New Dangers of Popery are Apprehended, and there is a Young Plot in the Belly of the Old One. But at laſt when that Lord had rendered up himſelf, and deſired a ſpeedy Tryal, difficulties and perplexities were ſtarted about Joyning Iſſue; then immediately there ariſes a ſquobble about Priviledges, An Endleſs confus'd Riddle which no body e're yet could tell the meaning of; but not a grain of Juſtice weigh'd out all this while, but the courſe of it ſtopt, and the Nation kept in ſuſpence, terror and perplexity with almoſt every man's hand at his Neighbours Throat, and all for a punctilio: Juſtice, I doubt, was not what the prevailing Faction at that time Aim'd at: For (as I promiſed before) I will ſpeak Truth, A prevailing and a dangerous Faction were in that Parliament, and will be in every Parliament, 'tis to be feared, ſo long as Schiſmaticks and Make-bates are tolerated in their Inſolencies by Wilful blindneſs or fearfulneſs of Magiſtrates that ſhould ſuppreſs them, and enabled to carry ſo great a ſway in Elections, as to return frequently ſo many Old Rebels againſt the laſt King, to ſit in the Houſe of Commons, only to raile and bandy Factions for the Ruin of this. No, the Popiſh Lords in the *Tower* were to be well husbanded, and that Parliament was Diſſolv'd, not that they ſhould not bring thoſe Lords to Tryal, but becauſe they would not.

Having ſhot this Bolt, Now he runs on his Story to ſeveral Worthy Peers Petitioning for the Sitting of a Third Parliament: whereof by the way, let us take notice, the E. of *Hunt.* was One, who having ſince diſcover'd the foulneſs of the main deſign at the bottom, has avoided the Infection, return'd home into the Favour and Service of his King, and Safety of his Honour.

And as that Petition was followed by Others of a more tumultuous nature, ſo the reflections our Author makes upon 'em, are, to deal plainly, as Impertinent as they were: for he ſayes, *That his Majeſty was poſſeſt by ſome about him, that ſuch Petitioning was tumultuous, and that at the ſame time little Emiſſaries were ordered to diſcourage it; amongſt the reſt, Sir* George Jeoffries *here in the City.* Prithee, Brother Pamphletteer, why *little Emiſſaries?* Sir *George Jeoffries* is a Gentleman, and was at that time Recorder of *London,* and, as I conceive, under that character not ſo very unproper to adviſe the City how far in Loyalty, Obedience to the Law and good Manners they ought to preſerve their Duty, Reſpect and Deference to their Sovereign and his Commands: and for all that quoted ſcrap of the Parliaments Addreſs againſt him, wherein they accuſe him for Informing the City of *London,* that *ſuch manner of Proceedings might hazard the Forfeiture of their Charter*; I ſuppoſe it had been never the Worſe for that Wiſe City to have taken his Counſel, and have ſav'd perhaps the trouble, which a ſmall Inſtrument, Entituled, *Quo Warranto,* lately got amongſt them, may put them to. But it is the way of hireling Scriblers for that Party now-a-dayes to Quote Votes, Reſolves and Addreſſes of the Houſe of Commons for Lawes, forſooth, as if we were no longer to reſpect the Statutes of the Realm for our Guide, but buy a pennyworth of Votes every day, and conſult out of them how far we are to yield Obedience to Edicts

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of ſo great an Authority as a Kings, who is over us in all Cauſes, next under God, the Supreme Head and Governour.

For he is at the ſame rate again as to the *Anti-Petitions*, as he calls 'em, or *Abhorrencies*, that were by many of the Loyal part of the Kingdom preſented to his Majeſty in a juſt reſentment and deteſtation of the former Undutiful and Irreverent Proceedings of their fellow Subjects; which as it was at that time the moſt ſeaſonable and honeſteſt courſe that good Subjects could take to clear and ſignalize their Reſpect and Fidelity to a Prince nos'd and affronted by the Inſolent and Vile behaviour of a dangerous and unruly Faction: So I cannot but with Horrour remember the Tyrannical and Oppreſſive Authority which the Houſe of Commons durſt uſurp afterwards over their fellow-Subjects; how many of us were perſecuted by their Ban-dogs and Purſuivants? how many, that knew not ſo well the Charter of their Liberty, were forced to yield obedience to their Unwarrantable and Peremptory Votes, Led in Captivity ſhamefully ſeveral Miles through their Native Countries up to *London*, committed to Illegal and Chargeable Priſons, harraſs'd with Arbitrary Fines or Cenſures, brought on their Knees, forced to undergo the baſeſt forms of Submiſſion unworthy the honor of the *Engliſh* Liberty; and all by an Uſurping Unwarrantable power whom they had never offended, and againſt whom no offence lay! I hope we ſhall feel the ſcourge of ſuch a Tyranny no more.

But to return to our Author, who after having recited part of an Addreſs made by the Houſe of Commons againſt that Honorable, Wiſe and never to be forgotten Patriot the Earl of *Halifax* (for the Fellow loves a ſcrap of Parliament bus'neſs better then a dull Pedant ends of Latin) reſolves to *come to the Point*, as he calls it in his Preface, *And now*, ſayes He, *the Parliament according to direction of his Majeſty, Vigorouſly Proſecute the Plot*; That's good News indeed; Let us ſee how: Why he tells us, *Firſt as for themſelves, they by way of Addreſs declare their Reſolution to Preſerve and Support the King's Perſon and Government, and the Proteſtant Religion.* Well, how did they keep their words? Why, the Author gives us to underſtand, that *As to the Plot, they appoint a Committee to take an abſtract of the Journals of both Houſes as to matters relating to it, upon which they reſolve that the D. of* York's *being a Papiſt, &c. has given the greateſt Encouragement to the preſent Deſigns and Conſpiracies againſt the King and Proteſtant Religion*; that is, according to the King's Directions to proſecute the Plot, they reſolve to perſecute his Brother. For methinks it's but an odd way of proceeding, to reſolve any Man is a Papiſt, before they know whether it be ſo or no: at this rate they might have reſolv'd all the City was blown up, though we did ſee one houſe tumble: for the Caſes are parallel; and in ſpight of all Calumnies thrown on that moſt Illuſtrious Prince and Dutifulleſt of Subjects, it was never prov'd that he was reconcil'd to the Church of *Rome* yet; nor does the abſenting himſelf from our Church at all evince it: for by that Argument he may be as well a Proteſtant Diſſenter, for ought they know, as any thing elſe. But as to the latter part of their Reſolve, (*viz.*) *That the preſumption of his being ſo, has given the greateſt Encouragement to the preſent Deſigns againſt the King and Proteſtant Religion.*

Religion. I agree with 'em: for it is viſible enough 'tis upon that Baſis the Schiſmatick andPhanatical Party have grounded all their hopes of ſpoyling the King of his moſt Eſſential Prerogatives,of deſtroying the whole Beauty and Order of the Eſtabliſhed Church, of collecting together a Treaſonable and Rebellious Aſſociation for fettering up the Power of the King, raiſing an Army to be Commanded by Creatures of their Own,and to obey their Authority for the Enſlaving the Kingdom, rooting out of the Monarchy, and ſetting up Confuſion. Now let all Reaſonable Men obſerve how far our Scribe has proved the Riſe, Growth and Diſcovery of a Popiſh Plot; I will not deny that ſuch a Plot might have been; but for all our Sophiſter's arguments, it is at beſt but a Plot preſumptive, and no Plot apparent.

But upon this Reſolve our Author is pleas'd to remind us of a Bill of Excluſion brought in, which the Lords thought fit to reject; *upon which,* ſayes he,*a Committee of the whole Houſe make two more Reſolves,Firſt,That ſo long as the Papiſts have any Hopes of the D. of* York's *ſucceeding to the Crown; King,Religion and all are in an apparent danger of being deſtroy'd.* The ſecond, *That the Houſe for Bringing in a Bill of Aſſociation for the King's Defence, and for general Safety, And for preventing the Duke of* York *or any Papiſt from ſucceeding to the Crown,* this is call'd proſecuting the Plot. And here by the way it will not be amiſs in a word or two, to take notice of the latter part of this ſecond Reſolve, *(viz.) Or any Papiſt from ſucceeding to the Crown*: Whence I obſerve, Either this Reſolve was Impertinent, or it was neceſſary: If there were no reaſon after the Excluſion of the Duke to fear any Popiſh Succeſſor,this Reſolve was Impertinent: If it were neceſſary, there muſt be reaſon to apprehend ſuch a Succeſſor. Now who could this be? The Prince of *Orange!* Is he a Papiſt? No, but if need be, there may riſe up an Evidence or two to ſwear him one. For it is to be proved by very Unqueſtionable Witneſſes, That Dr. *Oates* once upon a time in great freedom of ſpeech, and arguing very hotly for the Bill of Excluſion, being interrogated, *If that ſhould paſs, Who he thought fit to ſucceed, Whether the P. of* Orange, *or not*; was pleaſed to expreſs him *No*; *he was a Canary-Bird, he would have no* Orange: *but if the Duke were once Excluded, he had half a Dozen ſheets of Paper to preſent to the Conſideration of the Parliament for ſettling of the Government,* or to that purpoſe. A very pretty Condition we were at that time running into: at this rate his Reverence need but have ſworn all the Royal Line out of their Pretenſions, and the bus'neſs had been done. Methinks it would not have been Unworthy the Wiſdom of a Parliament, if once they that had taken the Succeſſion off from one hinge, to have fixt it upon another at leaſt, and not have left the Door open for all manner of Confuſion to have been let in upon us at the diſcretion of a ſwearing *Salamancha* Dr. and as many Diſciples as he could have pickt up out of Jayles and *Reggary* to have born record with him: And this granted, let us in the next place examine how far our Author hath evinced the Legality, Equity, and Expediency of a Bill of Excluſion.

And this I ſhall do with the ſtricteſt yet moſt ſincere and impartial ſcrutiny that I can: As firſt, Our Author ſayes, *For the Legality of it,*

he

he could never hear of more then two things oppos'd; The one, That Kings holding their Crowns by right of Primogeniture, it is againſt the Law of Nature to put by the next Heir. The other, *That it is againſt the Oath of Allegiance.*

To which I anſwer, That I muſt beg the Gentleman's Pardon, if I cannot in this point believe him; for I am apt to be perſwaded he may have heard that it is againſt the Fundamental Law of the Kingdom, againſt the expreſs Law and Word of God in his Scripture; that it is againſt the common Pact or Covenant whereby we live in Peace and Unity with one another, whereby we Originally conſented and mutually obliged our ſelves to that Excellent Form of Government we are Ruled by and Preſerv'd under againſt that Principal and Sacred Rule by which every Man's *Meum & Tuum* is diſtinguiſhed. I am perſwaded our Author may have heard all this; and that it is ſo, I am perſwaded it will not be very difficult to prove neither.

For that it is againſt the Fundamental Law of the Kingdom, will appear in that it is againſt the Publick Safety, which I take to be the Fundamental Law: and it is againſt the publick Safety, in that it is againſt the very Being of the Government. Now by the *Being of the Government*, I underſtand the Ancient Hereditary Monarchy; and whatſoever tends to the diſſolution of that, is againſt the Being of the Government: any Bill or Act therefore for excluding a next Heir, tends abſolutely to the diſſolution of the Ancient Hereditary Monarchy, in that it puts it in a meer ſtate of Election: for the very Act of Excluding one Heir, imports the Election of another. As for example, when an Act of Parliament is paſſed for the diſ-inheriting the Heir of an Entail'd Eſtate, it is not made an Act for the Excluding ſuch or ſuch an Heir; But for cutting off the original Entail: And the paſſing a Law for diſ-inheriting the Heir to the Crown, cannot be made an *Act* of Excluſion; for *Magna Charta* ſayes no Heir ſhall be ſpoil'd of his Inheritance, but it muſt be made an *Act* of Diſſolution and cutting off the Entail of the Crown, the very Law by which the Heir holds his Right of Inheritance; which would be utterly deſtructive of the Being of the Government, and conſequently Publick Safety: for ſhould an *Act* be made to diſ-inherit the Heir of an Entail'd Eſtate without cutting off the original Entail, the *Act* would be void in it ſelf and of no force, becauſe againſt the Fundamental Statute of *Magna Charta*: But the cutting off the Entail removes all manner of Right to Inheritance, and leaves the preſent Poſſeſſor at liberty of chooſing what and how many Heirs he ſhall think fitting. I hope the Ancient Inheritance of the Imperial Crown of *England* ſhall never be ſo Violated.

It is alſo againſt the Expreſs Word of God in his Scriptures, which ſayes, ſpeaking of the Law of Inheritances, thus, *If a man dye and have no Son, then ſhall ye cauſe his Inheritance to paſs unto his Daughter; And if he have no Daughter, then ye ſhall ye give his Inheritance unto his Brethren; And if he have no Brethren, then ye ſhall give his Inheritance unto his Fathers Brethren; And if his Father have no Brethren, then ſhall ye give his Inheritance unto his Kinſman that is next to him of his Family, and he ſhall poſſeſs it, and it ſhall be unto the Children of Iſrael a Statute of Judgment.* Numb. Cap. 27. Verſ. 8.

Can there be any thing more poſitive then this? Here we have the abſolute Command of God for the Lineal Succeſſions of one Heir in default of another down through a whole Generation; nay, He calls it too a *Statute of Judgment*, an unalterable Statute, a Statute upon no conditions to be Violated: and ſurely we are not Wiſer or Juſter then the Almighty Author of both Wiſdom and Juſtice.

Deut. Ch. 21. Verſ. 16.

Moreover, in another place of ſpeaking the Rights of the Firſt-Born, it is ſaid, that *When it ſhall be that a Father maketh his Sons to inherit that which he hath, that he may not make the Son of the beloved, firſt-born, before the Son of the hated, which is indeed the firſt-Born: But he ſhall acknowledg the Son of the hated for the firſt-born, by giving him a double portion of all that he hath; for he is the beginning of his ſtrength, the right of the firſt-born is his.* So that however merry our noble Author be pleaſed to make himſelf with the Right of Primogeniture, it was a Sacred Law pronounced from the Oracle of God, and by no ſucceeding Ordinance that ever I read or heard of yet repealed. But let us Examine in the next place thoſe Arguments he produces againſt the Right of Primogeniture.

He has indeed upon this occaſion proceeded in a moſt extraordinary way of Argumentation, which is by asking of Queſtions; which to oblige him, I will recapitulate here, and anſwer as well as I can by Queſtions too, and leave the Reader to Judge whoſe are moſt reaſonable. As firſt then ſayes he againſt the Right of Primogeniture:

Queſt. *In how many Kingdoms has Force and Violence, and the longeſt Sword ſettled an Abſolute Monarchy?*

Anſw. Muſt therefore we go together by the Ears to Unſettle this Excellent One?

Queſt. *How oft has that* York *been ſhak't off, and the Government turn'd into a Free State?*

Anſw. Muſt therefore we Rebel again, as we did about 40 Years ago, to become Slaves to the Tyranny of our fellow-Subjects, and at laſt the Rod of an Uſurper?

Queſt. *How many different Models of both Monarchies and States are there at this day in the World? &c.*

Anſw. Muſt therefore we never reſt contented with the Beſt of Governments, becauſe there are ſo many Worſe in the World to make choice of?

And yet, ſayes he, *none of theſe Governments, but are or ought to be ſubmitted to for the Lords ſake.*

To which I anſwer, That therefore it is a Sin to alter or endeavour in any point to Violate ſuch a Government. Now the Alteration of Succeſſion would be a great Violation of the Rights of this preſent Ancient and Eſtabliſht

Eſtabliſht Monarchy, conſequently againſt the Conſtitution of the Government, and therefore ſinful, in that it ought to be ſubmitted to for the Lords ſake, as our Author has been pleaſed to remind us. But to our Queſtions again, (*viz.*)

What ſhall we ſay of Gods giving the Kingdom of Iſrael *to* Saul *of the Tribe of* Benjamin *the Youngeſt of* Jacob's *Sons, or to* David, *the Youngeſt of his Fathers Sons, and of the Tribe of* Judah, *while none of* Reuben's *off-ſpring ever ſate upon the Throne?* Queſt.

To which I anſwer: Though God had promiſed *Abraham* to make of him a great Nation, that was not yet accompliſhed at the death of his Grandſon *Jacob*, who was at beſt but as a private man, dyed in *Egypt*, where his Poſterity afterwards remain'd in Captivity, and under that Bondage multiply'd to a People till they were led out of it by *Moſes*, who eſtabliſhed them into a Nation, and was their Law-giver: beſides, when *Jacob* dyed and bleſſed his Sons, He upbraided *Reuben* of the Sin he had committed, and told him, *Unſtable as water, thou ſhalt not excell, becauſe thou wenteſt up to thy Fathers bed, then defiledſt thou it.* Beſides, as I ſaid before, *Iſrael* were not then a Nation till God brought 'em by the hand of *Moſes* out of *Egypt*; but when the Miracles were begun for the redeeming of the choſen People from Bondage, then the Lord ſpake unto *Moſes* and *Aaron* in the Land of *Egypt*, and the Paſſeover was inſtituted; then they began to be a Nation of Men, and Modell'd into Government, Marched and Encamped under the Command of *Moſes*, till they were led through the Red Sea into the Wilderneſs, then they fought with *Amalek* and vanquiſhed: After which *Moſes* hearkning to the advice of *Jethro* his Father-in-Law, Choſe able Men out of *Iſrael* who Judged the People at all ſeaſons; the hard Cauſes they brought unto *Moſes*, but every ſmall matter they Judged themſelves; ſo that *Moſes* was their Supream Judge and Law-giver, till he Led them out of the Plains of *Moab*, to the Top of *Piſgah*, where the Lord ſhewed him all the Land of *Gilead* unto *Dan*, and all *Nepthali* and the Land of *Ephraim*, &c. *And ſaid unto him, This is the Land which I ſware unto* Abraham, *unto* Iſaac, *and unto* Jacob, *ſaying, I will give it unto thy ſeed; but* Moſes *was not ſuffered to go over thither, but dyed in the Land of* Moab. *Moſes* thus dead, *Joſhua*, by the appointment of God, ſucceeded him as Judge over *Iſrael*. After *Joſhua*'s death we read, that they forſook the Lord and ſerved *Baal*, and that the Anger of God was hot againſt *Iſrael*; nevertheleſs the Lord raiſed up Judges and was with the Judge, and delivered them out of the hands of their Enemies; but when the Judge was dead, they returned to Corruption again, till the Lord left them to be proved by the 5. Lords of the *Philiſtims*, and all the *Canaanites*, &c. among whom they dwelt, and who were to prove *Iſrael*, to know whether they would hearken to the Commandments of the Lord; but they did Evil, and were ſold into the hand of the King of *Meſopotamia*, whom they ſerved Eight Years: but upon their Cry to God, he raiſed up a Deliverer one *Othneil*, who governed them 40 years; to him ſucceeded *Ehud*; after him was *Shamgar*, till renewing their ſins they again were ſold to *Jabin* King of *Canaan*; delivered afterwards and reſtored by *Deborah*, under whom they had reſt 40 years: After her God raiſed Anſw. Geneſis Ch. 49. v. 4.

ſed up *Gideon* or *Jerubbaal*, who delivered them from the *Midianites*; after him his Son *Abimelech* was made by them King. *Abimelech* being dead, there roſe up to defend *Iſrael*, *Jola*; after him *Jair*, and in this manner were they governed by Judges till the time of *Samuel*; And he in his age made his Sons Judges over *Iſrael*, who walked not in his wayes, but turned aſide after lucre, took Bribes and perverted Judgment, upon which the Elders gathered together, and demanded a King of *Samuel* to govern them like other Nations.

This King was *Saul*, Choſen by God himſelf: there was the abſolute Command of God for the Anointing him King over *Iſrael*; Neither was there any Succeſſion cut off, for *Reuben* had no right ever of it: and the original of Kingly Power in *Iſrael* by Gods appointment began in *Saul*. So that Kingly Power (as much a jeſt as they make of the matter, appears plainly by this to be originally *Jure Divino*.) Were Power grounded in the People, *Abimelech*'s race who before was choſen King by the People muſt have ſucceeded, but it did not; and the firſt Succeſſive Monarchy that ever was Eſtabliſhed in *Iſrael* was *Jure Divino* by God's own Law, and confirmed by Promiſe to *David*, but our Author deſires to know, How came *David* afterwards to Reign? How came the Crown tranſlated from *Benjamin* to *Judah*? Why was it not continued in the Tribe?

Would our Author give himſelf to read the Scripture ſometimes, he would write honeſter Pamphlets, and ask more pertinent Queſtions, for the Kingdom was never Eſtabliſhed upon *Saul*, for having tranſgreſſed the Commandment of God by a prophane Sacrifice; *Samuel* told him he had done fooliſhly, for he had not kept the Commandment of God, for God would have eſtabliſhed his Kingdom elſe upon *Iſrael* for ever, but that now he had ſought a man after his own heart, which was *David*: So by this it appears, that though *Saul* himſelf was King, the Kingdom was never confirmed or promiſed to his Seed. And therefore the tranſlating of it to *David* of the Tribe of *Judah*, is no Argument for the cutting off a Succeſſion eſtabliſhed for ſo many Ages as this Ancient Monarchy of *England* has been. But here's ariſen another Queſtion

Queſt. *How came* David *to put* Adonijah *by the Throne, and ſeat* Solomon *in it?*

Anſw. Why, did *Adonijah* Rebel and uſurp the Kingdom from his Father while he was yet alive? Did the Duke of *York* ever Rebel; nay, did he ever murmur againſt the King his Brother? Have not the King's Commands been always Sacred to him? what Dangers has he refus'd? what Exile not choſen when the King gave his Decree for it? though had it been in his Nature, he might like a rebellious *Abſolom*, have ſtood upon terms of Privilege too; but while one choſe rather to be a ſtiff-neck't Duke, than a beloved Son, He choſe rather to be a dutiful Brother than a ſtubborn Subject. Neither was the Right of Succeſſion to the Throne of *David* by any Law ſettled upon the Elder, and beſides the Rebellious Uſurpation of *Adonijah*, *David* had before ſworn that *Solomon* ſhould Reign after him, and

and ſit upon the Throne in his ſtead; ſo that in the firſt place, here was no Entail of Succeſſion violated, though Rebellion (if any thing) might have warranted it. But in our Law ev'n in caſe the Heir to the Crown ſhould Rebel, though he ſhould be attainted of Treaſon to incapacitate him of Succeſſion, this would not do if his Head ſtood upon his Shoulders neither; for the Deſcent of the Crown upon that, cures even an Attainder. But a Bill of Excluſion is a new-fangled thing, that never was heard of before; inconſiſtent in it ſelf, tending both in Law and Reaſon to nothing elſe but embroyling us into general Confuſion, and utterly exterminating the very foundation of the Monarchy. Thus far I hope we have ſufficiently overthrown the legality of a Bill of Excluſion; inſomuch that no ſuch thing can be paſs'd in Law without taking the whole frame of the Government to pieces, and ſetting up a new one: But the Arguments our Author urges, which ſuch a Bill is not againſt the Oath of Allegiance, and the Conſequences he deduces from them, are indeed very conſiderable. Firſt, He tells 'tis Nonſence to affirm, that any one is a Man's Heir or Succeſſor while himſelf lives. Then I ſay, the Oath of Allegiance is againſt common ſence; and by Sir *F. W*'s Argument in the Houſe againſt Expedients Void therefore in it ſelf, and of no force; for if an Act of Parliament againſt common ſence be in it ſelf Void, certainly any Oath againſt common ſence inſtituted by Act of Parliament is ſo too: But why is it Nonſence to affirm, That any one is a Man's Heir or Succeſſor while himſelf lives! *Becauſe*, ſays he, *the Succeſſor Commences ſuch only at his Predeceſſor's Death:* which by the way, ſeems to me much the more Nonſence of the two; for every Succeſſor to the Crown, at the inſtant of his Predeceſſor's Death, *De Jure*, becomes no longer Succeſſor, but very Poſſeſſor, though not confirm'd ſo *De facto* till his Coronation; ſo that to do the Oath of Allegiance Juſtice, it is no Nonſenſical Oath, for all our Author's Nonſenſical Argument; but an Oath that obliges every true Subject to Adhere to the King and his Lawful Succeſſors, and whoſoever go about by any unlawful Act (as we have prov'd one of Excluſion muſt be) to deprive the Duke of *York* of his Right to Succeſſion, does it againſt the Oath of Allegiance, and is no better than perjur'd. But now all the Queſtion is, ſays our Scribler, whether ſuch a particular man has ſo unalterable right to ſuch a ones Heir, that no crime Can forfeit that Right, nor no Power annul it: To which I anſwer, as he himſelf hath taught me; Force and Violence, and the longeſt Sword may annul any thing; but the Buſineſs he would bring in here, is the forfeiting Crime, which what it is in our preſent caſe, we ſhould better have known; He ſays, *If the haſty Diſſolution of ſo many Parliaments*, and a *Noli Proſequi had not hindered*; and ſo he proceeds to make a Fiction of Caſe (and indeed it is a Subſtantial Fiction) by his old way of ſuppoſing. Now let us once more ſee what he ſuppoſes; for by this ſuppoſe, he pretends to reſolve the Query, what the forfeiting Crime is in our preſent Caſe. Very good, *Suppoſe*, ſays he, *him that expects to be Heir, perverted from the Proteſtant to the Popiſh Religion*; Now out of this Suppoſe, we are if we think fit to ſuppoſe agen, that he means the Duke of *York*, and then we are to let him know, 'tis but a malicious at beſt, and no charitable Suppoſition, and till there are better grounds than any the Publick have been inform'd of yet to fix it upon, I ſhall grant no ſuch Suppoſition at all. In

the next place, ſays he, *Suppoſe his Principal Servant, and greateſt Confident, bragging of the apparent likelihood of rooting out this peſtilent Northern Hereſie, and of the Zeal of his Maſter in the Cauſe*, &c. Now we are ſure, and need not ſuppoſe that by this Servant and Confident is ſignify'd *Coleman*; and therefore I muſt tell, he is pleaſed to ſuppoſe what I believe himſelf and almoſt every body elſe knows to be a falſe thing; for *Coleman* was none of his Principal Servant or Confident, but Caſhier'd the Service of his Highneſs's Family many years ſince; and I have been told, the reaſon why he was diſcharged the Office of Secretary to the Dutcheſs, was for that he ſtood ſuſpected even then of being too buſie with Matters of an ill kind, though they were not particulariz'd or prov'd againſt him; and if ſo, good Mr. *Pamphletteer*, what becomes of your Suppoſe? But to proceed, Suppoſing all this ſays he, *We can hardly imagine a Crime to be blacker.* Then what? *Then a ſuſpition of deſigning the Subverſion of the Eſtabliſhed Religion, and in it of the Government*; A very pretty point our Author has brought his Buſineſs to: He has proved the Lawfulneſs of the Bill of Excluſion, becauſe he is pleaſed to ſuppoſe, and ſuſpect that the Duke may deſign the Subverſion of the Religion and Government; is any man to ſuffer by the Law of *England* for Suſpition? Surely no: Then certainly the Excluding the Duke from his Inheritance upon bare Suſpition, is not altogether ſo legal as our Author would have the World think it is. But the man is a little reaſonable for all that; for about four Lines afterwards, ſays he, *Now let us conſider*, (introth and I think it is time of all Conſcience) well, but what ſhall we conſider! *Let us conſider*, ſays he, *whether a Parliament have not Power to inflict ſuch a Puniſhment on ſuch Offences*: with all my heart: *It is*, ſays he, *from the Laws Enacted by Parliament, that ſuch an Act has ſuch a Puniſhment awarded to it*: This, as he has expreſs'd it is Nonſenſe, and as he means it is falſe, for no Laws are Enacted by Parliament, all Laws are Enacted by the King in Parliament; and though he go on to tell us, that Felonies are by the Law Puniſhed by Death, as well as Murder; yet till he ſhow us a Law that any man ſhall be Hanged for Suſpition of Felony or Murder, he ſeems to have conſidered to very little purpoſe, and his Suppoſe is in as bad a condition as e'r it was. 'Tis very well worth any man's obſervation how the Champions for this Cauſe manage Matters, they write inceſſantly, but ſuch crude and indigeſted ſtuff comes daily from, as viſibly diſcovers what an unhealthful condition it is in. Now is our Author vomiting up a lump of confus'd Notions for the *Mobile* to lap at, and that is forſooth what a Parliament can do: and firſt indeed he is a little civil, and will vouchſafe to joyn the King with them, and pray let us ſee to what purpoſe: *They*, ſays he, *can Attaint any man, or take off the Attainder, as they ſee good*: I hope though, good Mr. Author, it muſt be for ſufficient cauſe ſhown that they ſhall proceed to Attaint any Man, or elſe by your leave they violate the Great Charter of *England*, and whatſoever does ſo, is Deſtructive of the Being of the Government, Deſtructive of Publick Safety, Deſtructive of the general Liberty; either let the great Charter be the Rule and Standard our Parliaments are to govern their Votes & Acts by, or let us burn and cancel it for ever: Our Law ſays, It is unalterable, and whoever Votes or Conſents to any thing againſt the tenure and holding of that Charter, I may preſume to ſay is little better than a betrayer of

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the Publick Good, and an Enemy to the Kingdom: The People of *England* hold their Liberties and Properties by virtue of *Magna Charta*, nothing can alter it, and whatſoever does ſo, call it an Act of Parliament, or what you pleaſe may be impos'd upon our Obedience by Power, but it is Void of it ſelf, Tyrannical, and againſt the great and Sacred Right delivered us down through ſo many Ages, by our Fathers from one Generation to another. It would argue as much impertinence as he is guilty of himſelf, to recount the many abſurdities he has urged on this occaſion; as the inſtances of Legitimation and Illegitimation of Queen *Mary* and Queen *Elizabeth*, both which were made in their turns Illegitimate, and yet both were Legitimate when they came to ſucceed, and would not any Body that reads this judge our Author deſerved a blew Coat, and a Muckinder for urging their Caſes as Inſtances what the Parliament can do in ſuch Caſes, when neither of the Acts paſs'd againſt thoſe Princeſſes ſtood good. But what he ſays afterwards, deſerves Sugar Plumbs or nothing, now we are beholden to him or never; for he comes to the Point and ſays in a word, *That the two Houſes have an abſolute Dominion over the Lives, Liberties and Eſtates of any Subject in the Kingdom*; why now we ſee what the Gentleman would be at, here he ſpeaks home, *The two Houſes abſtractedly have an Abſolute Dominion*, &c. Tuſh, no matter for the King, he is no body God knows, when our Author would ſhew his Law; *We have had inſtances* (ſayes he) *of Queens being Beheaded, and who is nearlier related to the King than ſhe that is one with him* (Oh brave Boys) *who nearer allied to the Privileges of the Crown than ſhe that has had it ſet upon her head?* Why this is hearty now, *And if ſuch a one* (ſays he further) *may be brought to the Scaffold, and dye the deſerved Death of a Traytor, no man can argue the High Court that condemned her to dye, of Injuſtice.* This is as plain as the Noſe in ones face, it would have coſt Thee but a little more Ink and Paper Friend to have told us we have had an inſtance too of a Bleſſed King brought to the Scaffold, Condemned by a High Court to a High Court of Juſtice, as they call'd themſelves: Thou mightſt have urged this as well as hinted it ſo plauſibly, the Parallel was indeed finely ſpun, we might eaſily ſee what it Tally'd to: but thou mighteſt to ſhew the boldneſs of thy Skill have ſteer'd a little nearer the Quickſand, juſt rais'd upon the Surface of it: 'twould have ſhown thee a fit Fellow indeed to Vindicate the Diſſheriting an Heir to the Crown, Overthrowing a Monarchy, and confounding the Safety of thy fellow-Creatures and Subjects. Thus has our Author taken a great deal of pains to overthrow the Right of Primogeniture by Arguments that overthrow themſelves, To juſtifie an Act of Excluſion would be no Violation of our Oath of Allegiance, when it is abſolutely againſt the tenure, expreſs words and meaning of it, asked Queſtions to as little purpoſe as he has rais'd Arguments; and ſo much as he ſays for the Legality of the Fact.

Now as to the Equity of it, never was any thing more profoundly dull than he: *It is*, ſays he, *an Act of the greateſt Equity and Juſtice in the World.* One would think now after ſo Dogmatical a Propoſition he would do us reaſon, and make his words good, and he goes about it very learnedly truly; for he is at his *If*'s and *Suppoſes* again in a trice: *If* (ſays he) *he that pretends to the Succeſſion be a Perſon that is already engaged in a Deſign*

ſign to alter the Government, that by the accurſed tye of his deluded Conſcience, and the deſtructive Principles of his Religion has given certain notice that he thinks himſelf obliged to Extirpate the Religion Eſtabliſht, and to perſecute the reſolv'd Adherers to it to the Death; what in the whole World is more equitable, and moderately Juſt, then that this Perſon ſhould be incapacitated from doing all this evil, by preventing his Acceſſion to the Throne, which he will thus Defile with Blood, and Prophane with damnable Hereſie? Which I anſwer thus: If he that pretends to the Succeſſion be a Perſon that never was engag'd in any Deſign to alter the Government, but has through the whole courſe of his life to this day endeavour'd by the hazard of his life for the publick Service when ever call'd to it, by the moſt abſolute Obedience and patient Sufferings of the beſt Patriot and dutifulleſt Subject contributed to Defence and Preſervation of the Government from ruin, if from the teſtimony of a good and tender Conſcience he has given certain aſſurance that he will ever to his Power maintain the Religion Eſtabliſh't and defend the Adherers to it; (as the Letter from *Scotland* to the Archbiſhop of *Canterbury* ſufficiently teſtifies the Duke of *York* has done) what in the whole World more unequal or impiouſly unjuſt, then that this Perſon ſhould be incapacitated from doing all this good, by cutting off his Succeſſion to a Throne, which he may in all likelihood adorn with ſo much Mercy and Honour, with the Defence of the beſt Religion (I mean the Church of *England* as now Eſtabliſh't) in the World. And ſo much for the equity of the Fact.

And as to the expediency of it, he is driven very hard, for he is forced to quote the Saying, as he is himſelf pleaſed to term it, of a bad Man, (*viz.*) *It is expedient that one man die for the People.* Where by the way, I cannot but take notice, that to the beſt of my remembrance I have read a Printed Sermon Preached upon this very Text juſt before the Murder of the late King, 'tis an unlucky Obſervation, but our Author muſt Pardon me: and now he ſubjoyns that he would not blaſpheme his Saviour with comparing the Perſon now under conſideration to him, nor would I have the Perſon now under conſideration be Condemn'd by an Injuſtice equal to that us'd againſt our Saviour neither; that is, by the Teſtimonies of falſe Witneſſes, and the Outcrys of a Jewiſh Rabble, when there is no fault found in him: But this Point of Expediency our Author thinks not fit to inſiſt much upon, but refers us with a Complement to the *Character of a Popiſh Succeſſor*, whoſe pretended Author under favour, may in time, as it is humbly ſuppos'd, for that noble Treatiſe, and ſome other freedoms of Speeches he has taken in Taverns, and elſewhere, come to leave his foul Ears upon a Pillory: And now, I think, we have done with the main part of our Pamphlet, (*viz.*) The Legality, Equity, and Expediency of a Bill of Excluſion. I ſhall now proceed to examine what Juſtice our Author has done the Cauſe he eſpouſes, how far the Proceedings of the two laſt Parliaments ſtand by him juſtify'd, or His Majeſtie's Diſſolution of them, and Declaration after it, Condemned. And ſo forward.

As to the Firſt, I have in ſome meaſure ſpoken already, but ſince our Scribler has thought fit to ſtir up the Embers yet farther, I cannot but take notice. And here all the World are deſired to obſerve too with what

what impudent Falshood he has recited the Bus'ness & Case of *Fitz-Harris*: First, he says of that Libel, *That it was a Sham-Plot contrived in the Name of the Non-Conformists, and was to be Printed and sent about by the Penny Post to the Protesting Lords, and the leading Men of the House of Commons, &c. who were to be taken up as soon as they had it, upon hopes that upon search it might be found about 'em*: In answer to this, it is impossible not to speak the truth; and in short the truth is thus: The Authority and Credit of a Popish Plot beginning in the Opinion of all reasonable, and equally judging men to decline: I mean in the horrid Circumstances of it, as of Pistolling, Stabbing, Poisoning of the King (no body knows which,) and Massacring the People: With the credit of this declined likewise the Interest and Authority of a Faction who had rais'd themselves at this Conjuncture under the Name of true Protestants forsooth (casting by that a slight of Corruption upon the Establish't Church) to a condition of capitulating for whatsoever their Destructive Principles, and desire of change perswaded them was for their Advantage, towards the overthrow of Monarchy & Episcopacy, for setting up Presbytery and Anarchy. It appear'd by this, that the credit of the King's Danger of being assassinated by the Papists, & the Interest of the Republican Faction were Equilibrious, and depended meerly upon the weight of each other; that is to say, the Credit of the Plot could not subsist, but as it was to be fomented by the Authority of the Republican Faction, nor the Authority of that Faction maintain it self, except the credit of the Popish Plot were in every of its parts supported, this was the Case then, and upon this Principle they proceeded: No sooner was the [redacted] Discovery of the Popish Plot made, by an Instrument of their own, a Renegado Deacon, that since has usurpt the Title of Dr. the Offspring of a Notorious Anabaptist, and himself at this present under most Vile Suspitions of wanting the Blessed Sacrament of Baptism, a Fellow that has renounc'd the Church of *England*, and has since been a Professor of Popery it self, and almost all the Heresies in the World besides; I say, no sooner was this [redacted] Discovery thus made, but immediately renouncing all manner of Obedience to the Laws Ecclesiastical or Civil: The Trumpets of Sedition were blown aloud in all Quarters of the Kingdom by Rascally, Canting, Whining, Bawling Hypocrites, that call themselves Preachers of the Word, I warrant you: Not an empty Cask could be set out for sweetning at a Tavern Door, but whip it was spirited away to some adjacent Meeting-House or other to make a Pulpit of; where it vented worse Sophisticated Doctrine than ever it had done Wine before: Nothing was heard in those Assemblies, but Tribulation, Martyrdom, Persecution, and Popery, Popery. Immediately upon this and the Calling of a New Parliament, the Zealous Sisters were tongu'd with Guinneys at Elections to keep their Cuckolds true to *The Good Old Cause*, and its Interest; not an old Rebel or Son of one hardly in any County, but perk't up for a Member, and Preach't in some Market-house or another, to draw in Knaves and Fools to chuse him their Representative. As many of this Gang as could be were thus foisted in, and made Members of the House, whereas it is too apparent they became (to use our Author's own terms) *Leading Men* (I cannot stifle the Truth, for it will out) Nor is it at all to be wondered, that at the first starting of such a Discovery, the thoughts of Murdering the best, most merciful, and justest of Kings; the Destruction of the most Christian and best Disciplin'd Church in the World; the Subversion of the equallest and best constituted Government that ever a

happy People lived under; it is not, I ſay, to be admir'd that ſuch thoughts as theſe ſhould have very deep Impreſſions upon the Souls of the honeſt loyal Subjects, and true *Engliſhmen*, as doubtleſs the beſt part of that Parliament were, and therefore more eaſily to be led away, as I doubt not but a great many of them have ſince found themſelves to have been by the ſpecious pretences, how corrupt ſoever the ends were of thoſe *Leading Men*: For Immediately the Game was ſtarted, and all the cry was preſently, *Ill Miniſters*, *Arbitrary Council*, and fear of *Arbitrary Power*; the Army then on foot muſt with all ſpeed be Disbanded, though there never appeared to be more need of one, if all the Dangers that were Sworn and Voted had been true; yet no ſooner was this Army gone, but inſtead of a Popiſh Inſurrection in *England*, we had a *Whiggs* Rebellion in *Scotland*, and Swords were once more drawn for *Presbytery* and the *Covenant*. That over, and the *Moors* appearing with a formidable Army before *Tangier*, when a Supply was Demanded for the Preſervation of that Garriſon, the great Security of our *Mediterranean* Trade, none could be granted till Grievances were Redreſſed forſooth; and what was the Redreſſing of thoſe Grievances, but cutting off the Duke of *York* from the Succeſſion; turning out all Officers of Truſt about the King, and putting in ſuch in their Places as the Parliament ſhould approve of, Reforming the *Militia*, and as Sir *W. C.* was telling us plainly if his Mouth had not been ſtopt, the *Fleet* too; and putting both into ſuch hands as a Committee, I ſuppoſe to be appointed by the *Leading Men* at that time for that purpoſe ſhould have thought fitting, very fine! and this was all called Proſecuting of the Popiſh Plot, though not one, except *Coleman*, was ever brought to Juſtice all this while for the Conſpiracy, but a few tatter'd wandring Prieſts, that were hunted, catcht and Hang'd up to fleſh the Rabble withal: We were fed up and kept in heart indeed by ſtrange Reports of mighty Diſcoveries made by the Committee of Secrecy, who had Power given 'em to Examine Perſons, Papers, and Records, ſat for two years and upwards, brooding over the Bus'neſs till it was boaſted, That if *Oates* and all his Brother Evidences were Dead and Rotten, they had proof enough to Condemn all the Lords in the *Tower*, and the reſt of the Papiſts then in Cuſtody for the Plot, though when all came to all, no Lord was brought to his Tryal but the Lord *Stafford*, and he too (had not *Turbervil* (by what means I ſhall not here enquire) been found out long after for a Witneſs) for ought I perceive by the Printed Tryal, might have had his Head upon his Shoulders to this day: In ſhort, the Popiſh Plot was never heartily Proſecuted by the Parliament. The *Leading Men* at that time ſeem'd to have other bus'neſs; The Evidences a pack of Profligate Fellows rak't out of Goals and Dungeons, boaſted ſome of them they had Plot enough yet to hold theſe Seven years: The King inſtead of being ſecur'd from the Danger of his Enemies, was only teized with Addreſſes to Paſs an Act for the Diſ-inheriting of his Deareſt Brother, was tugg'd and almoſt every day wreſtled with for ſome Limb of his Prerogative or another, and no Money was to be given him for Defraying the neceſſary Charges of the Government till he would conſent to ſuch unreaſonable Demands as the *Leading Men*, I mean, the Faction thought fit at that Conjuncture to make him. And all this was ſtill call'd, *Proſecuting of the Popiſh Plot*. Nay, ſo very high ran this Preſumptuous Tide, that in an

Addreſs

Addreſs made by the Commons in Anſwer to the King's Meſſage concerning *Tangier*, it almoſt came to Threats; for as I remember towards the latter end of that Addreſs, mention was made of *Endangering the very Being of the Monarchy it ſelf*; as who ſhould ſay, *Sir, Give us what we Ask, or in plain terms we'll Rebel.* This was ſtill Proſecuting of the Popiſh Plot, till at the laſt, when all their hopes lay in the King's, and they were reſolv'd, but upon their own terms, not to ſupply them, out comes a Paper of Votes, one whereof was, *That whoſoever ſhould offer to raiſe any Money by way of Loan upon the King's Revenues or otherwiſe, ſhould be deemed a Betrayer of the Publick Safety*, and I know not what other furious madneſs to this purpoſe; as if the King were to be Voted into a worſe condition than any Subject he has, and not be able to borrow, if any of his Loyal People think fit to lend it him. This, and ſome other Proceedings much of the ſame Nature, awaken'd the ſleepy Underſtandings of a great many, who by the Publick Buz had been charm'd almoſt to a Lethargy, the Popiſh Plot began to appear little better than a ſtalking Horſe for the Faction to poach by: The Arbitrary Proceedings of the Houſe of Commons over the Liberties of their Fellow Subjects, grew Intolerable unreaſonable, illegal, and burdenſom: Immediately the Miſchiefs hatched in 41 began to be reviv'd in the Mouths and Memories of a great many People, who to this day felt the ſmart of them, and dreaded the like Tyranny and Oppreſſion again, till every day the credit of the Popiſh began more and more to break away, and the Workings of the Faction ſeen through it, ſomething plainly. This too as they are a wary Generation, they themſelves perceived, and therefore thought it high time to new vamp up the decaying Plot, and the Meal-Tub Stratagem, which brought in *Dangerfield*, having ſucceeded ſo well, Since a new Evidence was wanting, nothing ſo plauſible as a deſign of the like Nature to introduce Mr. *Fitz-Harris*. Thus then they lay their Heads together, and this is agreed upon. The King muſt be Libel'd right or wrong: why! becauſe it is *Ad Populum*; for the vileſt Natures are always beſt taken with Slander and Scandal, and apt to believe the worſt things of thoſe which are above them; ſo the Foundation of the Buſ'neſs is laid, *viz.* the Libel; but now to build upon this Foundation, that is, to fix this Libel upon the Loyal Party, (for by this time the *Guelphs* and the *Gibelines* began to be diſtinguiſhed) there lay the difficulty, and a difficult Point indeed it prov'd; for when it was brought to that, that Mr. *Fitz-Harris*, who was to be the Diſcoverer, asked his Pardon, His Majeſty was better adviſ'd than to give it him, except he would deſire it by telling honeſt Truths, which was not in the Gentleman's Inſtructions at that time; ſo he went to *Newgate*, and the Deſign was all intangled: But when the hopes of the Godly Party was got into *Limbo*, Bleſs us how they buſled! how was he viſited by Sir *R. C.* and Sir *G. T.* to take his Examination as they call'd it; but whether they came to inform themſelves, or him, that's yet a Queſtion; for Matters were carry'd very privately. This worthy Gentleman or Captain being brought to *Weſtminſter* towards his Tryal, for you know all our Diſcoverers are or ſhould be Doctors or Captains, as Dr. *Oates*, Dr. *Tongue*, Dr. *Lower*, Capt. *Bedlow*, Capt. *Dangerfield*, Capt. *Wilkinſon*, and ſo forth; this Captain then, as I ſaid, being brought to *Weſtminſter* in order to his Tryal, it was juſt like the roaſting of a Cat alive; for as upon that

that occaſion, all the Cats in the Neighborhood will come and ſquale, briſtle, and ſcratch for the reſcue of their Companion; ſo all the Evidences were alarm'd here. The Dr. of *Salamancha*, like a great Boar Puſs came in the Van, and roar'd moſt hideouſly, the reſt ran about the place, whether with their tails an end, I know not, ſputtering, wawing and ſpitting too abominably. Then and by theſe his Brethren was put into his hand his Plea, of ſtanding Impeach'd by the Houſe of Commons, and ought not therefore to be try'd by any Inferior Juriſdiction, which Impeachment by this appears in all Moral probability haſtened, as it was by the *Leading Men*, to have been made much rather to obſtruct the ſafety of the King, in not permitting a Traitor to be brought to Juſtice, than any thing elſe; a Vote having paſs'd the Lower Houſe, upon the Lords refuſing to receive the ſaid Impeachment, That to try Mr. *Fitz-Harris* in any Inferior Court, was a Violation of their Privilege, and againſt the Conſtitution of Parliaments; and this too was Proſecuting of the Popiſh Plot, this was bringing Traytors to Juſtice; upon which let us reaſon a little.

If Mr. *Fitz-Harris* were Guilty of the higheſt Treaſon in the World, as certainly he was, and by ſuch apparent Proofs, that it was impoſſible he could eſcape Juſtice in any Court in *England*, what need was there at that time for his being Impeached in Parliament who had ſo much bus'neſs already of a higher Nature before them, as the farther Enquiry into the Popiſh Plot, as to which the greateſt part of the Kingdom are yet in the dark, the bringing of thoſe Lords Impeached already to their Tryals who had lay'd ſo long under a cloſe and burdenſom Impriſonment, that it is a ſhame to the *Engliſh* Liberty we ſo much boaſt of all over the World? What Neceſſity was there for the Houſe of Commons to engage themſelves in ſuch a Tedious Bus'neſs as a Parliamentary Proceſs muſt be, againſt ſo inconſiderable a Creature as *Fitz-Harris*, who was already a Priſoner by Warrant from the Council, and lookt for every day to be brought to Trial by the ordinary courſe of Juſtice? There muſt be ſomething in this bus'neſs more than ordinary: and what this ſomething was, eaſily appears by the many Tricks and Circumventions us'd at his Tryal to Impede the Proceedings; as firſt his own Plea, upon the Vote above-mentioned, try'd and in Law over-ruled, ſo as it is apparent from thence, that Vote was Illegal and againſt Juſtice: Secondly, the endeavouring to ſave him, by ſetting him up (even at the time that he ſtood Arraigned for the baſeſt Traitor) for a new Evidence. For this we may thank that worthy Grand-Jury, who immediately upon his ſingle Depoſition in thoſe ſhameful Circumſtances, thought fit at a venture to find a Bill of Murder againſt the Earl of *Danby*, and yet upon the hearing of ſeveral unqueſtionable Witneſſes, one of the ſame ſtamp, reſum'd *Ignoramus* upon *Colledge*'s Indictment. From this I ſay it is apparent (whatever the meaning of the bus'neſs was) that the Impeaching this Fellow in Parliament, tended naturally rather to obſtruct the Safety of the King, in not permitting ſuch a Traitor to be brought to the ſpeedieſt Juſtice, than any thing elſe; and by what Hands, what Party the Treaſon he Dy'd for was ſet on foot, is ſufficiently evident from his laſt dying Confeſſion, written by his own Hand, and deliver'd to Dr. *Hawkins* the worthy Miniſter

of

of the *Tower*, and to the ſaid Doctor's farther Relation of it deliver'd to the World in Print, I refer the Reader.

Next as to His Majeſtie's Declaration after Diſſolving of the Parliament, which ſticks ſo much in our Gentleman's Stomack, *Wherein he gave aſſurance that he would call frequent Parliaments*, &c. by our Author's good leave, according to a late diſtinction of a Brother Block-head of his, they are not the many, but the few that long for the performance of the firſt promiſe: The many and beſt part of the People reſt well aſſured of the performance, do not long nor are clamorous for it: They are ſatisfy'd the King may keep his word of uſing frequent Parliaments, without the calling a New one once a Quarter; 'tis convenient as matters go, that the King ſo time his Affairs, as to get a Parliament that will mind his and his Peoples Intereſt, and not be carry'd away by the Factious Deſigns and Intrigues of *Leading Men* any more: I am aſhamed ſo Great and Honorable Aſſembly as an *Engliſh* Houſe of Commons, ſhould not be ſo Wiſe too as not ſuffer any ſuch Name as a *Leading Man* amongſt 'em: One would Imagine that in ſuch a high Convention choſen out the whole Kingdom, every one ſhould have Wiſdom and Reaſon enough of his own to guide his Opinion by, and not run and Baa like a ſilly Sheep after the Low-Bell of another's Cant. And this ariſes moſt commonly from the chooſing Men to be our Repreſentatives in Parliament, that are hardly of years of Diſcretion to take care of themſelves, ſending Boyes that have not yet worn the School-brand out of their Buttocks, to ſit and conſult upon the good of the Nation (allow Things of 18 or 19 to make Speeches in a Senate-Houſe, before they know how to make a Theam, what a Shame is this? Methinks we ought to chooſe for the great Convocation of the Kingdom, Men qualify'd with the beſt Brains as well as beſt Eſtates among us; Men of the beſt Underſtanding and Experience, and thoſe too fortify'd with Principles of Honour and Virtue, not giddy-headed Boyes unable yet to look after their own Eſtates, and therefore very unfit Guardians of the Properties of their Neighbours, who when they come into the Houſe, for want of Judgment to diſtinguiſh betwixt Good and Evil, hunt with the loudeſt Cry, add to the Noiſe, and by Noiſe carry the Buſneſs; I mean ſuch Buſneſs as the *Leading Men* think fit to ſet on foot, and that is commonly Faction: Now by the *Leading Men*, I underſtand either thoſe grey Foxes who are well skill'd in the wayes and Methods that brought on our late Confuſions, and hope by the ſame means for their own private ends to Imbroyl us again; or diſcontented Spirits, who (by the ill Example of others that have gain'd their Point by the ſame means) hope by running againſt the King, and broaching Popular Grievances to be bought off by Preferments: Theſe are for the moſt part Practiſing Lawyers, which in Reaſon however Cuſtom has prevail'd, ought no more to be admitted into Parliaments, than Butchers into Juries. For, Can it be reaſonably ſuppoſed thoſe ſhould endeavour the making good Laws in the Parliament Houſe, that are to live by the breaches of 'em in *Weſtminſter-Hall*? No, they will be ſure not to work ſtrong in one place for fear of ſpoiling their Trading in another; I would indeed have good Lawyers, that is, Men who underſtand the Conſtitution of the Government, ſit in the Houſe with all my

heart, but methinks, they ſhould be ſuch as had left off the Practice of Law, were to preſerve the Eſtates they had already gotten by compiling ſound Laws, and not ſuch as were to raiſe themſelves Fortunes by by picking flawes in brittle ones.

For my part ſo long as I live, I will never give my Voice for the Election of a Practiſing Lawyer, for it is to the ſway with ſuch and their Accomplices who aim at Diſorder have born in the late Parliaments, that we owe for the moſt part our preſent Differences and Diſtempers: upon the curſed hopes whereof was raiſed that never to be forgotten miſchief which threatned us, I mean, a Treaſonable *Aſſociation*, the form of which was lately found in the E. of *Sh.* Cloſet, and of which almoſt the whole Kingdom have Loyally profeſt their Deteſtation and Abhorrence.

As for the cenſure our ſilly Pamphletteer has paſs'd upon thoſe Abhorrers, I think it not worth the waſting of Ink and Paper to remark upon it, he having been only very dully Pert upon the occaſion, recited part of a great many honeſt Addreſſes, and rail'd moſt fooliſhly upon the Tenure of them, to as much purpoſe, as if one ſhould expoſe the beautifulleſt Picture in the World, and ask the Company if they ever ſaw any thing ſo ugly? would not that be a notable Jeſt? Juſt ſuch a merry Monſter is our Author.

But as to his qualifying of this above-mentioned horrid *Aſſociation*, by comparing it to that Paſs't into an Act in the Reign of Queen *Elizabeth*, it is ſo obvious, ſo notorious a piece of Falſhood, that it would be a Jeſt to go about to confute it, his being much troubled any one ſhould prefer *Ignatius*'s Doctrine before *Calvin*'s, I think indeed reaſonable; for they are ſo very much alike, they ought never to be diſtinguiſh't. But having overthrown the Bulk of his Pamphlet, I think it not worth my while to rake in the Rubbiſh, but beg leave to make one concluding Obſervation, (*viz.*) To what end was there ſuch ſtriving and ſtruggling to get the Bill of Excluſion? Is there ſo very great a diſproportion in the Age of the King and his Brother, that His Majeſty muſt neceſſarily dye firſt? I think, and I hope not: Methinks there ariſes in Moral Conjecture a very ill natur'd Conſequence upon this, that is to ſay, The eager purſuit of a Bill of Excluſion, looks not ſo honeſtly as it was pretended to be done. For conſidering a Vote once Paſs'd the Houſe, *That if His Majeſty ſhall come by any Violent Death*, which God forbid, *they will revenge it to the utmoſt upon the Papiſt.* Methinks it looks as if the Bill had been Paſs'd, His Majeſty might eaſily have been taken off, and the whole Deſign turned upon the Unfortunate Duke, which the Multitude would eaſily have ſwallowed in Suppoſition of his being a Papiſt, and he too that way, have been made a Sacrifice to the general fury in this broyl; what Government, what Uſurpation might not have been broacht? And this I obſerve one of the probable Effects that might have followed a Bill for his Excluſion. Secondly, That whereas we have heretofore been Alarum'd with mighty Noiſes of *French* Penſioners. I think it would be very ſeaſonable (conſidering the late vaſt Returns of Money from *France*) to enquire who

who thoſe *French* Penſioners have been or are; whether ſuch as have fomented our Differences at home, which is certainly the Intereſt of our Enemies abroad; or thoſe that have endeavoured to Preſerve the Government and Kingdom in Peace and Tranquillity; whether the Party who in all their Intelligences and Pamphlets, are now courting the *French* King for a hopeful true Proteſtant one, likelieſt to adhere to him when ever he thinks fit to caſt an Eye this way; or thoſe who would once have made War upon him, and obſtructed the Growth of his formidable greatneſs, could Money have been granted for maintaining the Honour and Charges of ſuch a War; but this is a Point will moſt properly be enquired into, when the Natural Hiſtory of our preſent Diviſions ſhall come to be Written, and then too we may give perhaps a gueſs at what ſort of Prince or Government this our Author and his Party deſire to be Subjects under; whether or no it be our Preſent, Good, Gracious, Merciful, Juſt, Long-ſuffering King, whom Heaven in its Mercy for ever Preſerve from the Curſed Bloody Hands of Hypocrites his Enemies.

Amen.

FINIS.